



M O N T A N A
COALITION AGAINST
DOMESTIC AND SEXUAL
V I O L E N C E

February 19th, 2009

SENATE JUDICIARY

EXHIBIT NO. 21
DATE 2/19/09
BILL NO. SB 406

To: Senate Judiciary Committee
From: Kelsen Young, Executive Director
Re: SB 406 – Constitutionally Define Person

Good morning, Mr. Chairman and Members of the Senate Judiciary Committee. For the record, my name is Kelsen Young and I am the Executive Director of the Montana Coalition Against Domestic and Sexual Violence. We are a statewide membership organization representing direct service programs from across the state that provide services to victims of domestic and sexual violence. We rise in opposition to Senate Bill 406 sponsored by Senator McGee.

In my testimony last week during the hearing for SB 46 – Compelling State Interest, also sponsored by Senator McGee, we outlined our concerns about the impacts these types of amendments to the constitution would have on a women's right to make reproductive choices and have personal autonomy and her right to privacy. By amending the constitution to indicate that life begins at conception or fertilization – as this bill is attempting to do – it would call into question a woman's right to privacy. If the purpose of this amendment is to define personhood or define a human being to be from the moment of conception or fertilization than inevitably it has ramifications for all types of reproductive decision making.

Therefore, we oppose this bill for all of the reasons that we opposed SB 46. We believe these proposals create a 2nd class citizen status for pregnant women and all women who are faced with making reproductive decisions. We are especially concerned about the impacts of this proposal on victims of sexual violence, incest, and who are in violent relationships. Please reference my previous testimony for more information about our concerns.

Again, I am struck by the fact that the fiscal note for this bill indicates no fiscal impact to the state. If we redefine human being to include all life at all stages of development, won't there need to be a complete re-examination of our criminal and civil codes to determine the impact that a re-definition would create? The practical impacts of re-defining personhood to me are significant and overwhelming and I don't understand why there wasn't a more detailed examination of these potential impacts when creating the fiscal note. It is disappointing that in these primarily ideological discussions the fiscal consequence and the actual ability to deal with the impacts of these significant changes are not being addressed.

We ask you to please oppose this legislation and protect women's autonomy and right to make reproductive choices. Thank you for your time.

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